



W.P(MD)NO.21945 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 11.08.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

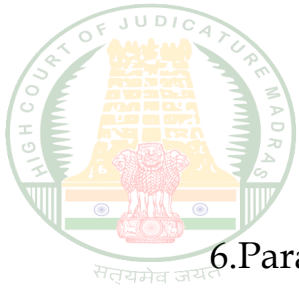
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S.Anton Demel

... Petitioner

.Vs.

- 1.The Tahsildar,
Eral Taluk,
Eral, Thoothukudi District.
- 2.The Head Surveyor,
Eral Taluk,
Eral, Thoothukudi District.
- 3.The Sub Inspector of Survey,
Arumugamangalam,
Eral Taluk,
Thoothukudi District.
- 4.The Deputy Superintendent of Police,
Tiruchendur,
Thoothukudi District.
- 5.The Inspector of Police,
Aathur Police Station,
Aathur, Thoothukudi District.



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6.Paramasivam Konar

7.Mariappan Konar

8.Subbaiah Konar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents 1 to 3 to measure and demarcate the Petitioner's property in S.No.244/4G and S.No.246/2G to an extent of 1 acre 68 cents situated at Mukkani Village, Eral Taluk, Thoothukudi District with the assistance of the respondents 4 and 5 Police based on the Petitioner's representation, dated 11.4.2025.

For Petitioner : Mr.S.Mariselvam

For Respondents : M/s.K.Malathi
1 to 3 Addl.Govt. Pleader

For Respondents : Mr.M.Vaikkam Karunanithi
4 and 5 Govt.Advocate(Crl.Side)

ORDER

The Petitioner herein seeks a direction to the respondents 1 to 3 to survey his property in S.No.244/4G and S.No.246/2G measuring an extent of 1 acre 68 cents situated at Mukkani



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Village, Eral Taluk, Thoothukudi District by considering his representation, dated 11.4.2025.

2.Mrs.K.Malathi, learned Additional Government Pleader takes notice for the respondents 1 to 3 and Mr.M.Vaikkam Karunanithi, learned Government Advocate(Crl.side) takes notice for the respondents 4 and 5. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the Petitioner, the subject property was purchased by the Petitioner under registered sale deed, dated 11.1.1999. The Petitioner has been in possession and enjoyment of the subject property right from the date of sale in his favour. The Petitioner also filed a civil suit in O.S.No.95 of 1999, on the file of Principal District Munsif Court, Thoothukudi District against third parties, for declaration and permanent injunction. Subsequently on 17.6.2015, the Petitioner executed a settlement deed settling the subject property in favour of his wife Rosy Demel and patta was also mutated in her name in Patta No.1738. The Petitioner submitted an application on 11.4.2025 seeking survey of the property. However, the survey of the property was opposed by the private respondents. Hence the Petitioner is before this Court with the present Writ Petition for the relief stated supra.



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WEB COPY 4.Mrs.K.Malathi, learned Additional Government Pleader who takes notice for the respondents 1 to 3 would submit that if the application is filed by the owner of the property, the same will be considered in accordance with law, within the time stipulated by this Court.

5.In view of the same, without expressing any opinion on the merits of the matter, the petitioner is directed to submit a fresh application in the name of the owner of the property namely, his wife Rosy Demel within a period of two weeks from the date of receipt of a copy of this order. If new application is filed by the owner of the property, the same shall be considered by the respondents 1 and 2 in accordance with law and final orders be passed on its own merits after affording reasonable opportunity to the owner of the property, private respondents 6 to 8, neighbouring land owners and other interested parties, if any, within a period of 12 weeks from the date of receipt of the new application..

6.With the above directions, the Writ Petition stands disposed of. No costs.



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NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

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S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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